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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1117/2018**

SH. RAGHBIR SINGH AND ORS. Petitioner

Through Mr.V.P.Rana with Mr.Prem Garg,
Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS. Respondent

Through Mr.Devesh Singh, ASC,GNCTD with
Ms.Minal Sehgal, Advocate.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **06.02.2018**

Issue notice. Mr.Devesh Singh, learned counsel for the respondents accepts notice.

Learned counsel for the petitioners, submits that the petitioners are recorded owners of residential plot ad-measuring 1650 sq. yds. out of Khasra no.95 (1 Bigha 13 Biswas) within Lal Dora Village, Tikri Khurd, Delhi. He submits that due to a mistake on the part of their predecessors as well as that of the Gaon Sabha, the villagers had started occupying an area measuring 544 sq. yds. out of the plot of the petitioner bearing Khasra no.95 and similarly the petitioners were occupying the land which actually belongs to the Gaon Sabha. He further submits that with passage of time, Delhi Administration/authorities have provided various facilities and amenities in the land owned actually by the petitioners as by treating it as land of the Gaon Sabha, therefore, the petitioners are unable to use the said land. He submits that in these circumstances, the petitioners have made various representations to respondent no.3 to

resolve the problem either by exchanging the land owned by the petitioners with that owned by the Gaon sabha or to take other appropriate steps to remove this peculiar situation which has arisen due to factual mistake on the part of the petitioners as well as of the Gaon Sabha.

He further submits that since they received no response to their representations made to respondent no.3, they had made a representation dated 12.09.2017 to the respondent no.2, which has also not elicited any response. At this stage, learned counsel appearing for the respondents submits that in case, the petitioners make a fresh detailed representation by annexing a copy of the earlier representations, respondent no.3 shall look into the matter expeditiously and pass a reasoned and speaking order. The learned counsel for the petitioner is agreeable to the aforesaid course of action.

Learned counsel for the petitioner is accordingly granted liberty to make a fresh representation to respondent no.3 within two weeks. It is directed that the representation so made should be decided by the respondent no.3 by passing a reasoned and speaking order by granting a hearing to the petitioners. Needless to say, in case the petitioners are aggrieved by the order passed by respondent no.3, they would be at liberty to take legal recourse as permissible under law.

The petition is disposed of with the aforesaid directions.

REKHA PALLI, J

FEBRUARY 06, 2018/sr